

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

04 CR 10299 PES

UNITED STATES OF AMERICA

v.

1. LUZ LUCIANO,
a/k/a Chila,
2. DANIEL AGUILAR,
a/k/a "Lik"
3. ROBERTO SOLORIO, and
4. RICARDO ESTRADA

Defendants.

)
) Criminal No. 04-
)
) VIOLATIONS:
)
)
) 21 U.S.C. §846 - Conspiracy to
) Possess with Intent to
) Distribute Cocaine
)
) 21 U.S.C. § 853 - Criminal
) Forfeiture
)
)

INDICTMENT

COUNT ONE: (21 United States Code Section 846 - Conspiracy
to Possess with Intent to Distribute Cocaine)

The Grand Jury charges that:

From an unknown date but at least by in or about February
13, 2004 and continuing until on or about May 1, 2004 at Lynn,
Danvers, Peabody, and elsewhere in the District of
Massachusetts, at Mexico, and elsewhere,

1. LUZ LUCIANO,
a/k/a Chila,
2. DANIEL AGUILAR,
a/k/a "Lik"
3. ROBERTO SOLORIO, and
4. RICARDO ESTRADA,

defendants herein, knowingly and intentionally combined,
conspired, and agreed with each other and with other persons
known and unknown to the Grand Jury, to possess with intent to
distribute and distribute cocaine, a Schedule II controlled

substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the conspiracy involved five kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A)(ii).

DRUG FORFEITURE ALLEGATION

(21 U.S.C. §853 -- Criminal Forfeiture)

The Grand Jury further charges that:

1. As a result of committing one or more of the offenses alleged in Count One of this indictment,

1. LUZ LUCIANO,
a/k/a Chila,
2. DANIEL AGUILAR,
a/k/a "Lik"
3. ROBERTO SOLORIO, and
4. RICARDO ESTRADA,

defendants herein, shall forfeit to the United States, pursuant to 21 U.S.C. §853: (1) any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the charged offense; and (2) any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense, including, but not limited to:

- (a) a 2000 Freightliner Tractor Classic XL, Vehicle Identification No. 1FUPCSEB9YDB42682, and California License No. UP20575, registered in the name of Ricardo Estrada.

2. If any of the above-described forfeitable properties, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) have been transferred or sold to, or deposited with, a third party;
- (c) have been placed beyond the jurisdiction of the Court;

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(d) have been substantially diminished in value; or

(e) have been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. §853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

04cr10299PBS**Criminal Case Cover Sheet**

U.S. District Court - District of Massachusetts

Place of Offense: Lawrence Category No. II Investigating Agency DEACity Lawrence Related Case Information:County Essex Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant x _____
Magistrate Judge Case Number M 04-1732-CBS _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name LUZ LUCIANO Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: FEM Race: Hispanic Nationalit USDefense Counsel if known: Michael Bourbeau, Esq. Address 77 Central Street, Boston, MA

Bar Number _____

U.S. Attorney Information:AUSA Robert L. Peabody Bar Number if applicable 551936Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☒ No

Warrant Requested

☒ Regular Process

In Custody

Location Status:Arrest Date 5/01/04

Already in Federal Custody as of _____ in _____

☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by: Mag. Judge Swartwood on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 9/29/04Signature of AUSA: Robert L. Peabody

District Court Case Number (To be filled in by deputy clerk) **04 CR 10299 PBS**

Name of Defendant LUZ LUCIANO

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 846</u>	<u>CONSPIRACY DISTRIBUTE COCAINE</u>	<u>1</u>
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION:

JS 45 (5/97) - (Revised U.S.D.C. MA 2/7/02) -

Criminal Case Cover Sheet **04 CR 10299 PBS** **US District Court - District of Massachusetts**Place of Offense: Lawrence Category No. II Investigating Agency DEACity Lawrence Related Case Information:County Essex Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant x _____
Magistrate Judge Case Number 04-1732-CBS _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name DANIEL AGUILAR Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: MALE Race: Hispanic Nationality USDefense Counsel if known: Benjamin Entine, Esq. Address 77 Franklin StreetBar Number _____ 617-357-0770**U.S. Attorney Information:**AUSA Robert L. Peabody Bar Number if applicable 551930Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☒ NoWarrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date 5/01/04☒ Already in Federal Custody as of _____ in Wyatt Detention, Central Falls, RI☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 9/29/04 Signature of AUSA: Robert L. Peabody

District Court Case Number (To be filled in by deputy clerk):

0104CR10299-PBS

Name of Defendant DANIEL AGUILAR

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	21 USC 846	CONSPIRACY DISTRIBUTE COCAINE	1
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

04 CR 10299 PBS

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Lawrence Category No. II Investigating Agency DEACity Lawrence Related Case Information:County Essex Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant x
Magistrate Judge Case Number M 04-1732-CBS
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name ROBERTO SOLORIO Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: MALE Race: Hispanic Nationalit USDefense Counsel if known: Syrie Fried, Esq. Address Federal DefenderBar Number _____ 617-223-8061**U.S. Attorney Information:**AUSA Robert L. Peabody Bar Number if applicable 551936Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☒ NoWarrant Requested ☒ Regular Process In Custody**Location Status:**Arrest Date 5/01/04

Already in Federal Custody as of _____ in _____

☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by: Mag. Judge Swartwood on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: September 29, 2004 Signature of AUSA: Robert L. Peabody

District Court Case Number (To be filled in by deputy clerk):

04 CR 10299 PBS

Name of Defendant ROBERTO SOLORIO

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 846</u>	<u>CONSPIRACY DISTRIBUTE COCAINE</u>	<u>1</u>
Set 2	<u></u>	<u></u>	<u></u>
Set 3	<u></u>	<u></u>	<u></u>
Set 4	<u></u>	<u></u>	<u></u>
Set 5	<u></u>	<u></u>	<u></u>
Set 6	<u></u>	<u></u>	<u></u>
Set 7	<u></u>	<u></u>	<u></u>
Set 8	<u></u>	<u></u>	<u></u>
Set 9	<u></u>	<u></u>	<u></u>
Set 10	<u></u>	<u></u>	<u></u>
Set 11	<u></u>	<u></u>	<u></u>
Set 12	<u></u>	<u></u>	<u></u>
Set 13	<u></u>	<u></u>	<u></u>
Set 14	<u></u>	<u></u>	<u></u>
Set 15	<u></u>	<u></u>	<u></u>

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Lawrence Category No. II Investigating Agency DEACity Lawrence**Related Case Information:**County Essex

Superseding Ind./ Inf. _____ Case No. _____

Same Defendant _____ New Defendant xMagistrate Judge Case Number M 04-1732- CBS

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:Defendant Name RICARDO ESTRADA Juvenile: ☐ Yes ☒ No

Alias Name _____

Address _____

Birthdate: _____ SS # _____ Sex: MALE Race: Hispanic Nationality USDefense Counsel if known: Eliot Weinstein, Esq. Address 228 Lewis WharfBar Number _____ 617-367-9334**U.S. Attorney Information:**AUSA Robert L. Peabody Bar Number if applicable 551936Interpreter: ☒ Yes ☐ No List language and/or dialect: SpanishMatter to be SEALED: Yes ☒ NoWarrant Requested ☐ Regular Process ☒ In Custody**Location Status:**

Arrest Date _____

☒ Already in Federal Custody as of _____ Wyatt Detention, Central Falls, RI☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 1/31/04Signature of AUSA: Robert L. Peabody

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant _____

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 846</u>	<u>CONSPIRACY DISTRIBUTE COCAINE</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____